



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

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In the matter of)	
J & A QUIK STOP, INC.)	
28945 John R)	Business ID No. 157423
Madison Heights, Michigan 48071)	
)	
Oakland County)	
_____)	

At the November 15, 2012 hearing of the Michigan Liquor Control Commission
(Commission) in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

SHOW CAUSE HEARING ORDER

On November 16, 2007, J & A Quik Stop, Inc. (licensee) was issued an SDM license with permission for motor vehicle fuel pumps under MCL 436.1541(1) to be held at the above-noted location. The request was approved by the Commission on January 4, 2007 with the proviso that the licensee install and continue to maintain on the licensed premises at all times, a minimum inventory of at least \$250,000.00, at cost, excluding alcoholic liquor and motor vehicle fuel as required by MCL 436.1541(1)(a)(ii).

After an inspection conducted by the Commission's Enforcement Division on April 27, 2012 revealed the applicant's approved type inventory, at cost, was below the \$250,000.00 requirement under MCL 436.1541(1)(a)(ii), an Order to Show Cause was issued under administrative rule R 436.1925(1) to determine the status of the SDM license, and any or all other issues related to the license, permits and permissions.

The Commission held the show cause hearing in this matter on September 27, 2012 at its Southfield office. Representing the licensee at the hearing was Attorney Bryan Yaldou and stockholder, Jalal Yaldo.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on

the record, the Commission found that the applicant sufficiently demonstrated good cause not to terminate the subject license and permits because documentation was provided indicating that as of February 14, 2012 the approved type inventory, at cost, was \$266,650.33, which satisfies the requirement for licensure under MCL 436.1541(1)(a)(ii).

On September 27, 2012, the Commission tabled this matter and ordered the licensee to submit to an inventory accounting to be conducted by "Approved Inventory Specialists" while in the presence of an MLCC Investigator as soon as possible to determine compliance with the requirements of MCL 436.1541(1)(a)(ii). An inventory check was then conducted by "Approved Inventory Specialists" while in the presence of an MLCC Investigator on October 19, 2012 indicating the licensee's approved type inventory, at cost, was \$257,155.38, which satisfies the requirement for permission for fuel pumps under the provisions of MCL 436.1541(1)(a)(ii).

The matter was then placed on the November 15, 2012 appeal agenda held at the Commission's Southfield office. Representing the licensee at the hearing was Attorney Bryan Yaldou and stockholder, Jalal Yaldo. After hearing arguments, reviewing the MLCC file and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated good cause not to terminate the subject license and no further action should be taken to affect the status of the SDM license issued to the licensee at this time.

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof under MCL 436.1201(2).

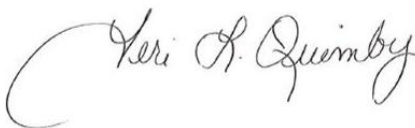
The applicant is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(f), the licensee may sell beer and wine for consumption off the premises only.

THEREFORE, IT IS ORDERED that:

- A. No further action will be taken to affect the status of the SDM license issued to the licensee at this time.
- B. The licensee shall maintain on the licensed premises at all times, a minimum inventory of at least \$250,000.00, at cost, of goods and services customarily marketed by approved types of businesses, as required for permission for fuel pumps under the provisions of MCL 436.1541(1)(a)(ii), excluding alcoholic liquor, motor vehicle fuel, inventory on a consignment, or inventory owned by others.
- C. Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before serving or selling alcoholic liquor.
- D. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, MLCC Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the license.



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner



Prepared by:
Terri Chase, Commission Aide

Date Mailed: _____



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

* * * * *

In the matter of the request of)	
JUSTIN, INC.)	
47910 Woodward)	Request ID No. 659181
Pontiac, Michigan 48342)	
)	
Oakland County)	
_____)	

At the November 15, 2012 hearing of the Michigan Liquor Control Commission
(Commission) in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

LICENSING APPEAL ORDER

On May 23, 2012, Justin, Inc. (applicant) filed a request for a new SDM license with permission for motor vehicle fuel pumps under MCL 436.1541(1), to be located at the above-noted location.

At a meeting held on September 26, 2012, the Commission denied this request under MCL 436.1541(1) as the approved type inventory, at cost, was below the \$250,000.00 requirement under MCL 436.1541(1)(a)(ii), and the site of payment and selection of alcoholic liquor is under the 50 foot requirement from that point where motor vehicle fuel is dispensed, as required under MCL 436.1541(1)(b), as defined under administrative rule R 436.1129(4)(c). The request was also denied under administrative rule R 436.1105(2)(a) and (b) after considering the prior operating record of the applicant stockholder, Najib Yousif, in the alcoholic liquor business.

Kelly Allen, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the November 15, 2012 hearing, held at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated a course of action has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rules.

The Commission further finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request inasmuch as a final inspection will be conducted by the Commission's Enforcement Division prior to issuance of the license to determine that the applicant qualifies for permission for fuel pumps under the provisions of MCL 436.1541(1)(a)(ii) and (b).

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof under MCL 436.1201(2).

The applicant is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(f), the licensee may sell beer and wine for consumption off the premises only.

The Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request for the reasons stated on the record.

THEREFORE, IT IS ORDERED that:

A. The denial order of September 26, 2012 issued in this matter is reversed and the applicant's request is APPROVED, subject to the following:

1. The licensee shall submit to a final inspection to be conducted by the Commission's Enforcement Division to review form LC-130 "Affidavit of Inventory Service" and determine that the applicant has purchased

and installed an approved type inventory of at least \$250,000.00, at cost, as required under MCL 436.1541(1)(a)(ii); to obtain an updated diagram and determine that the site(s) of payment and selection of alcoholic liquor is not less than 50 feet from the point where motor vehicle fuel is dispensed, as required under MCL 436.1541(1)(b); and to determine that the establishment meets all requirements of the Michigan Liquor Control Code and Administrative Rules.

2. The licensee shall submit to the Commission form LCC-3010 "Report of Stockholders/Members/Partners".
3. The licensee shall submit to the Commission documentary proof that Justin, Inc. received a loan in the amount of \$210,000.00 from Najib Yousif.
4. The licensee shall submit proof of financial responsibility providing security for liability as required under MCL 436.1803. Failure to maintain proof of financial responsibility providing security for liability will result in the immediate suspension of the subject license until the licensee provides the Commission with proof of financial responsibility as required under MCL 436.1803.

B. The licensee's application for a new Sunday Sales Permit (A.M.) is APPROVED pursuant to Public Act 213 of 2010, MCL 436.2111-2115. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village, township, or the local governmental unit, that it prohibits or otherwise objects to the sale of spirits, mixed spirit drink or beer and wine between the hours of 7:00 A.M. and 12:00 Noon on Sundays. If notice and supporting documentation is received by the Commission a Show Cause Hearing will be scheduled before the Commission under administrative rule R 436.1925(1) to determine if the permit must be revoked.

C. The licensee shall maintain on the licensed premises at all times, a minimum inventory of at least \$250,000.00, at cost, of goods and services customarily marketed by approved types of businesses, as required for permission for fuel pumps under the

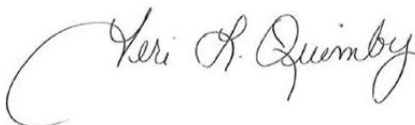
provisions of MCL 436.1541(1)(a)(ii), excluding alcoholic liquor, motor vehicle fuel, inventory on a consignment, or inventory owned by others.

D. Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before serving or selling alcoholic liquor.

E. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, MLCC Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the license and permit.



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner



Prepared by:
Terri Chase, Commission Aide

Date Mailed: _____



-STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

* * * * *

In the matter of the request of)

ZANTE GROUP, LLC)

1344-1346 Broadway)

Detroit, Michigan 48226)

Wayne County)

Request ID No. 628696

At the November 15, 2012 hearing of the Michigan Liquor Control Commission
(Commission) in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

LICENSING APPEAL ORDER

On November 7, 2011, Zante Group, LLC (applicant) filed a request to transfer ownership of an escrowed 2012 Class C license with Sunday Sales Permit (P.M.) from V J T Restaurants, Inc.; and to transfer location of the license and permit from 579 Monroe, Detroit, Wayne County, to the above-noted location. The license and permit were renewed for the 2012-2013 licensing year on April 3, 2012.

At a meeting held on August 22, 2012, the Commission denied this request under administrative rule R 436.1105(2)(a), (b) and (j) after considering the management experience of the applicant member, Dionysios Kefallinos, in the alcoholic liquor business and the effects that issuance of a license would have on the health, welfare, and safety of the general public when determining whether an applicant should be issued a license or permit.

Margaret Andrews, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the November 15, 2012 hearing, held at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated a course of action has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rules.

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof under MCL 436.1201(2).

The applicant is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(b), the licensee may sell beer, wine, mixed spirit drink and spirits for consumption on the premises.

The Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request for the reasons stated on the record.

THEREFORE, IT IS ORDERED that:

A. The denial order of August 22, 2012 issued in this matter is reversed and the applicant's request is APPROVED, subject to the following:

1. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
2. The licensee shall submit to a final inspection to be conducted by the Commission's Enforcement Division to determine that adequate fixtures and equipment have been installed; and to determine that the establishment meets all requirements of the Michigan Liquor Control Code and Administrative Rules.
3. The licensee shall submit to the Commission form LCC-3010 "Report

of Stockholders/Members/Partners”.

4. The licensee shall submit to the Commission documentary proof that Zante Group, LLC received a loan in the amount of \$34,500.00 from Clay Street Group, LLC.
5. The licensee shall maintain proof of financial responsibility providing security for liability as required under MCL 436.1803. Failure to maintain proof of financial responsibility providing security for liability will result in the immediate suspension of the subject license and permit until the licensee provides the Commission with proof of financial responsibility as required under MCL 436.1803.
6. The licensee shall provide documentary proof to the Commission to demonstrate that, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served have successfully completed a server training program approved by the Commission as required under MCL 436.1501(1), within 180 days from the issuance of the license and permit, as provided in administrative rule R 436.1060.
 - a. The licensee shall maintain active certification of completion for server training on the licensed premises at all times as provided in administrative rule R 436.1060.
 - b. Failure to provide this documentary proof to the Commission within 180 days from the issuance of the license and permit shall result in the licensee being charged with failure to comply with this order, under administrative rule R 436.1029, which may result in fines, suspension and/or revocation of the license and permit.

B. The applicant's request to transfer the existing Sunday Sales Permit (P.M.) is APPROVED, subject to the following:

1. A reference to the time of day includes daylight savings time, when observed.

2. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village or township that it prohibits the sale of spirits, mixed spirit drink, or beer and wine during the time authorized by this permit.

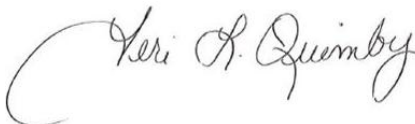
C. Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of the license and permit by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee shall obtain all other required state and local licenses, permits, and approvals before selling or serving alcoholic liquor.

D. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, MLCC Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the license and permit.

E. The escrowed 2012 Class C license with Sunday Sales Permit (P.M.) held by Heather Food & Beverage Enterprises, L.L.C. (Business ID No. 228723) shall not be reactivated at this location.



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner



Prepared by:
Terri Chase, Commission Aide

Date Mailed: _____